IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Toru Nagase et al.	**Examiner:**	Melanie Ruano Tyson
Serial No.:	10/678,503	**Art Unit:**	3773
Filed:	October 3, 2003	**Docket:**	17096
For:	SURGICAL INSTRUMENT	**Dated:**	December 8, 2008
Confirmation No.	1949		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.116
IN RESPONSE TO SEPTEMBER 22, 2008 OFFICE ACTION

Sir:

This Amendment is submitted in response to the Office Action dated September 22, 2008 in connection with the above-identified application.

Amendments to the claims are reflected in the **Listing of Claims** beginning on page 2.

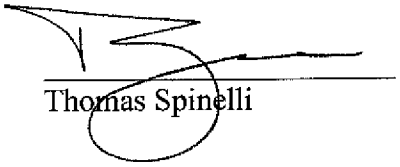
Remarks begin on page 7.

Applicants respectfully request that the Examiner reconsider the application in view of the following amendments and remarks.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website on the date set forth below.

Dated: December 8, 2008



Thomas Spinelli